IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 6043 of 2005

Between:

A.Sainathbabu, Advocate, Durga Agraharam, Vijayawada.

..... PETITIONER

AND

1 The Station House Officer, Machavaram Police Station, Krishna District.
2 The Superintendent of Police, Krishna District, Machilipatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to For the reasons stated in the "Telegram" dated 18-03-2005 sent by the petitioner herein this Hon'ble Court may be pleased to issue an order, direction, or a writ, more particularly one in the nature of writ of Habeas Corpus directing the respondents herein to produce Sankarasetti Durga Prasad, s/o Adinarayana, before this Hon'ble Court, who was illegally detained by the police of Machavaram Police Station, Krishna District since 13-03-2005 and set him at liberty forthwith and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : TELEGRAM

Counsel for the Respondents : THE ADVOCATE GENERAL

The Court made the following Oral Judgment: (per Sri Devinder Gupta, CJ)

In the affidavit in reply filed by D.S. Raju, Sub-Inspector of Police, Machavaram Crime Police Station, Krishna District, the 1st respondent herein, it is stated that though Crime No. 53 of 2005 was registered against the alleged detenu under Section 379 of I.P.C. at Machavaram Police Station, but, the alleged detenu was only called to the Police Station and a bond was obtained from him and he was not kept in detention. Therefore, there is no restraint on the movement of the alleged detenu.

In view of the affidavit in reply of the 1st respondent, no further directions are required to be issued in this case. The writ petition stands closed accordingly.

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DEVINDER GUPTA,CJ

DATE: 30th March, 2005

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B. SESHASAYANA REDDY,J

Pnb

To

1 The Station House Officer, Machavaram Police Station, Krishna District.
2 The Superintendent of Police, Krishna District, Machilipatnam.

3 Two C.Cs. to the Advocate General, High Court of A.P., Hyderabad (OUT)

4 Two CD copies.

*Form-NIC-OGS/WP{**RS**}*